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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,132	07/13/2001	Kishore Karighattam	2016P/F0997	3860

7590 08/22/2005

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EXAMINER

LEE, ANDREW CHUNG CHEUNG

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/905,132

Applicant(s)

KARIGHATTAM ET AL.

Examiner

Andrew C. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: referring to page 2, lines 6 and 7 from the top of the page – the LARQ 110 conveys link layer priority information. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: The element PHY 110. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the

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sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "112" has been used to designate both Host MAC and Ethernet controller. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:

- The specification should be line-numbering for each page. According to US 37 CFR 1.52. *Language, paper, writing, margins, compact disc specifications.* Item 6 of (b). Item 6 states that other than in a reissue application or reexamination proceeding, the paragraphs of the specification, other than in the claims or abstract, may be numbered at the time the application is filed, and should be individually and consecutively numbered using Arabic numerals, so as to unambiguously identify each paragraph. The number should consist of at least four numerals enclosed in square brackets, including leading zeros (e.g., [0001]).

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mallory et al. (U.S. Patent No. 6877043 B1) in view of Szczepanek (U.S. Patent No. 6414956 B1).

Regarding claims 1, 5, 9, Mallory et al. discloses the limitation of a method, home phone line controller, system for supporting frame priority in a home phone line network (Fig. 1d, column 3, lines 13 – 21; column 20, lines 59 – 63; column 32 – 41), comprising

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of: (a) detecting a limited automatic repeat request (LARQ) header in a frame with a priority tag (column 39, lines 26 – 38; column 40, lines 19 – 22); (b) stripping the LARQ header and a frame check sequence (FCS) in the frame with the priority tag (column 39, lines 58 – 60; column 41, lines 51 – 67); Mallory et al. does not disclose expressly recalculating the FCS for the stripped frame with the priority tag; and adding the recalculated FCS to the stripped frame with the priority tag. Szczepanek discloses the limitation of recalculating the FCS for the stripped frame with the priority tag; and adding the recalculated FCS to the stripped frame with the priority tag (column 3, line 67, column 4, lines 1 – 13; column 5, lines 24 – 40). It would have been obvious to modify Mallory et al. to include recalculating the FCS for the stripped frame with the priority tag; and adding the recalculated FCS to the stripped frame with the priority tag such as that taught by Szczepanek in order to provide an improved switching device operating in a shared media environment.

Regarding claims 2, 6, 10, Mallory et al. discloses the limitation of a method wherein the stripping step (b) comprising (b1) placing information in the LARQ header in a frame status which will follow the stripped frame with the priority tag (column 39, lines 35 – 38; column 40, lines 19 – 26).

Regarding claims 3, Mallory et al. discloses the limitation of the method of claimed, further comprising: (e) sending the stripped frame with the priority tag and the recalculated FCS to an Ethernet controller (Fig. 4a, Fig. 30, column 21, line 67; column 22, lines 1 – 15; column 23, lines 32 – 41).

Regarding claim 4, Mallory et al. discloses the limitation of a method of claimed, further comprising: (f) sending the stripped frame with the priority tag and the recalculated FCS to an appropriate priority queue according to the priority tag (column 21, line 67; column 22, lines 1 – 15; column 23, lines 32 – 41; column 39, lines 58 – 67; column 78, lines 52 – 67; column 79, lines 1 – 21).

Regarding claims 7, 11, Mallory et al. discloses the limitation of a method, home phone line controller, system for supporting frame priority in a home phone line network (Fig. 1d, column 3, lines 13 – 21; column 20, lines 59 – 63; column 32 – 41). Mallory et al. does not disclose expressly the controller, system of claimed wherein the first logic block asserts a second signal and a third signal to the second logic block, where the second signal indicates that the FCS is to be stripped from the frame with the priority tag, wherein the third signal indicates that the LARQ header is to be stripped from the frame with the priority tag. Szczepanek discloses the limitation of the controller, system of claimed wherein the first logic block asserts a second signal and a third signal to the second logic block, where the second signal indicates that the FCS is to be stripped from the frame with the priority tag, wherein the third signal indicates that the LARQ header is to be stripped from the frame with the priority tag (Fig. 4, column 6, claim 1, items (c) to (g), lines 16 – 32). It would have been obvious to modify Mallory et al. to the controller, system of claimed wherein the first logic block asserts a second signal and a third signal to the second logic block, where the second signal indicates that the FCS is to be stripped from the frame with the priority tag, wherein the third signal indicates that the LARQ header is to be stripped from the frame with the priority tag such as that taught by Szczepanek in

order to provide an improved switching device operating in a shared media environment.

Regarding claims 8, 12, Mallory et al. discloses the limitation of a method for supporting frame priority in a home phone line network (Fig. 1d, column 3, lines 13 – 21; column 20, lines 59 – 63; column 32 – 41). Mallory et al. does not disclose expressly a controller of claimed wherein an asserted fourth signal to the third logic block enables the recalculation of the FCS. Szczepanek discloses the limitation of a controller of claimed wherein an asserted fourth signal to the third logic block enables the recalculation of the FCS (Fig. 4, element 404, column 6, lines 31 – 33). It would have been obvious to modify Mallory et al. to include a controller of claimed wherein an asserted fourth signal to the third logic block enables the recalculation of the FCS such as that taught by Szczepanek in order to provide an improved switching device operating in a shared media environment.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571) 272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACL

Aug 11, 2005


Ajit Patel
Primary Examiner